

## **REMARKS**

This is a full and timely response to the outstanding final Office Action mailed April 14, 2008. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **Claim Rejections - 35 U.S.C. § 103(a)**

Claims 10-13 and 22-29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nakamura, et al.* ("Nakamura," U.S. Pat. No. 6,151,464) in view of *Takagi, et al.* ("Takagi," U.S. Pat. No. 6,762,853). Applicant respectfully traverses.

As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office ("USPTO") has the burden 35 U.S.C. § 103 to establish obviousness by showing objective teachings in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. *In re Fine*, 837 F.2d 1071, 1074, 5 U.S.P.Q. 2d 1596, 1598 (Fed. Cir. 1988). The key to supporting an allegation of obviousness under 35 U.S.C. § 103 is the clear articulation of the reasons why the Examiner believes that claimed invention would have been obvious. See MPEP § 2141. As stated by the Supreme Court, "[r]ejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *KSR v. Teleflex*, 550 U.S. at \_\_\_, 82 USPQ2d at 1396 (quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006)).

Applicant respectfully submits that the Examiner has not established that Applicant's claims are obvious in view of the prior art. Applicant discusses those claims in the following.

**A. Claims 10-13**

Applicant's independent claim 10 provides as follows:

10. A method comprising:
  - a user browsing to a network-based imaging service using a network browser that executes on a client device;
  - the imaging service downloading a user interface to the network browser, the user interface enabling the user to select documents to be printed and to select a private printing option in which documents will only be printed when proximity of the user is detected;
  - the client device automatically providing to the imaging service a user identification associated with the user;
  - the imaging service receiving and storing the user identification;
  - the imaging service receiving from the client device a request to print a selected document on a printer and a personal identification number (PIN);
  - the imaging service delaying printing of the selected document;
  - the printer detecting proximity of the user;
  - the printer receiving input by the user of the PIN; and
  - responsive to the combination of the detected proximity and input of the PIN, the printer printing the selected document for the user.

In the final Office Action it is argued that Nakamura teaches a client device “automatically providing to the imaging service a user identification associated with the user”. Applicant disagrees. In the Nakamura reference, Nakamura states the following:

A network to which the digital copying machine 1 as the image output processing apparatus of the present invention is used in a specific group, for example, a company, and each user as its member has his/her own ID number. In the case where a request for image printing as a print job is made to the foregoing digital copying machine 1 through an external apparatus such as a personal computer connected thereto, the ID number of the user who made the request is attached to the image data as information.

*Nakamura*, column 19, lines 1-9. As can be appreciated from the above excerpt, which was cited and relied upon by the Examiner, Nakamura does not in fact state that the personal computer “automatically” provides a user identification to the digital copying machine 1. Instead, Nakamura merely states that a user ID number is “attached to the image data”. For all the reader knows, the personal computer only attaches the user ID in response to a user command for the personal computer to do so, in which case the attachment would not be automatic. In view of at least that reason, claim 10 and its dependents are believed to be allowable over the cited references.

## B. Claims 22-29

Applicant's independent claim 22 provides as follows:

22. A system comprising:

a client computing device configured to execute a network browser via which content representing a printer can be displayed to allow a user of the client computing device to request a document to be printed at the printer and provide a personal identification number (PIN), to automatically detect an identity of the user, and to communicate the print request, the identity of the user, and the PIN to network services; and

a network service configured to receive the print request, the identity of the user, and the PIN from the client computing device, to automatically detect when the user is in close physical proximity to the printer by identifying the identity of the user being located on a device within a range of a proximity sensor at the network service, to receive the PIN when input into the printer by the user, and to delay printing of the requested document until the user has both been detected in close physical proximity to the printer and has input the PIN.

In the final Office Action it is argued that Takagi teaches a client computing device configured to "automatically detect an identity of the user". Applicant disagrees. Instead, Takagi discloses a user *affirmatively inputting* a username and password. As provided in column 6, lines 5-10, which were cited and relied upon by the Examiner, Takagi states the following:

When "private print" is selected, a window for inputting a user name and a password shown in FIG. 8 is displayed. When *the operator inputs a desired user name and a password* which the operator previously set when selecting private printing, a private printing document list stored

in the digital copying machine 2 is displayed as shown in FIG. 9.

*Takagi*, column 6, lines 5-10 (emphasis added). Because the user explicitly identifies himself or herself to the personal computer, Takagi's client computing device (i.e., "operational management client 3") cannot reasonably be said to be configured to "automatically detect an identity of the user", as required by claim 22. In view of at least that reason, claim 22 and its dependents are believed to be allowable over the cited references.


Turning to dependent claim 26, it is further clear that neither reference discloses or suggests that the automatic detection of the user identity is accomplished by "querying an operating system of the client computing device for the identity", as is explicitly recited in claim 26. Column 19, lines 10-19 of the Nakamura reference, which were cited and relied upon by the Examiner, say nothing about a client computing device "querying an operating system of the client computing device for the identity". Instead, that portion of the Nakamura disclosure discusses actions taken by the digital copying machine 1.

Regarding dependent claim 27, it is also clear that neither reference discloses or suggests that the automatic detection of the user identity is accomplished by using "a proximity sensor that is part of the client computing device to identify the user identification from a device worn by the user" as is explicitly recited in claim 27. Column 19, lines 4-9 of the Nakamura reference, which were cited and relied upon by the Examiner, say nothing about a client computing device detecting proximity of a user with a proximity sensor. Instead, that portion of the Nakamura disclosure discusses a client computing device providing a user ID to the digital copying machine 1.

### **CONCLUSION**

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
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